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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT TACOMA

9 ALISON E. MINNIS,

10 Plaintiff,

11 v.

12 STATE OF WASHINGTON DSHS,  
Division of Developmental Disabilities,

13 Defendant.

CASE NO. C11-5600BHS

ORDER DENYING  
APPLICATION TO PROCEED  
IN FORMA PAUPERIS

14 This matter comes before the Court on Plaintiff's application to proceed in forma  
15 pauperis. Dkt. 1. The court has considered the motion and the remainder of the record  
16 herein.


17 The district court may permit indigent litigants to proceed in forma pauperis upon  
18 completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). However, the  
19 "privilege of pleading in forma pauperis . . . in civil actions for damages should be  
20 allowed only in exceptional circumstances." *Wilborn v. Escalderon*, 789 F.2d 1328 (9th  
21 Cir. 1986). Moreover, the court has broad discretion in denying an application to proceed  
22 in forma pauperis. *Weller v. Dickson*, 314 F.2d 598 (9th Cir. 1963), *cert. denied* 375 U.S.  
23 845 (1963).

24 It appears that Plaintiff has the ability to pay the \$350 filing fee in this case.  
25 Plaintiff has made a choice to file this civil action. While the costs of this action may  
26 place a burden on her resources, Plaintiff appears to have sufficient funds to avail herself  
27 of her legal remedies by filing this action.  
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1 Therefore, it is hereby

2 **ORDERED** that Plaintiff's application to proceed in forma pauperis (Dkt. 1) is  
3 **DENIED**. If Plaintiff desires to proceed with this civil action, she must pay the \$350  
4 filing fee to the Court Clerk not later than September 11, 2011. If Plaintiff fails to timely  
5 submit the filing fee, the Clerk is directed to dismiss this case without prejudice.

6 DATED this 11th day of August, 2011.

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9 BENJAMIN H. SETTLE  
10 United States District Judge  
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